

**MINUTES  
PLANNING BOARD  
TOWNSHIP OF CHATHAM  
May 4, 2015**

Mr. Thomas Franko called the Regular Meeting of the Planning Board to order at 7:30 P.M.

**Adequate notice** of the meetings of the Planning Board of the Township of Chatham was given as required by the Open Public Meetings Act as follows: Notice in the form for a special meeting on March 23, 2015 was published in the *Chatham Courier* and the *Morris County Daily Record*, was posted on the bulletin board in the main hallway of the Municipal Building, and was filed with the Township Clerk.

**Roll Call**

Answering present to the roll call were Mr. Franko, Mr. Hurring, Mr. Brower, Mr. Ciccarone, Mr. Ritter, Mr. Saluzzi, Mr. Nelson and Mr. Murray. Ms. Hagner, Mrs. Swartz and Mr. Travisano were absent.

Also present were Board Engineer John Ruschke and Planning Board Attorney Steven Warner, Esq. Township Planner Frank Banisch was represented by Chuck McGroarty from Banisch Associates.

**Approval of Minutes**

Mr. Hurring moved to approve the minutes of the April 20, 2015 meeting. Mr. Ciccarone seconded the motion, and it carried unanimously.

**Circulation Plan**

Mr. Franko reminded the Board that in 2014 there was extensive discussion regarding updates to the Circulation Element of the Master Plan. An ad hoc Circulation Plan Committee has been formed to work with Mr. Banisch to develop an updated plan. The Committee includes Mr. Hurring, Ms. Hagner, Mrs. Swartz and Mr. Murray.

**Hearing**

Plan: 14-93-5 (October 10, 2014) OZ – Custom Builders, LLC- 35 Rose Terrace, Block 93 Lot 5, Minor Subdivision w/variances. Completeness review. Revision on 12/30/2014. (Complete on 1/20/2015) Escrow #79429

Mr. Franko said that a memorandum was received from the Township's Fire Prevention Official, Barry Howard, regarding this application. The hearing was temporarily reopened so that the memorandum could be read into the record. The memorandum states that Mr. Howard does not have any objection to the plans as submitted.

Mr. Warner provided a brief overview of the application and read into the record the draft resolution that he prepared for the approval of this application.

Mr. Brower asked about the potential for home businesses at the proposed properties. Administrator Ciccarone said that home offices for medical professionals is allowed when lots are of a size that conforms to the particular zone. As the proposed lots will be undersized for their zone, home offices would not be allowed without further variances.

Mr. Brower also asked about the suggestion made by Mr. Page during testimony that the property line be moved. Mr. Warner said that the language to move the line was inserted into the resolution and that the brackets around the language would be removed from the ordinance should the Board decide to include that provision.

Mr. Ciccarone suggested that the Township not require the applicant to make improvements to the pump station property on Chatham Street as a condition for approval. He also said that zoning regulations seek to bring non-conforming lots into conformity, and the smaller lots in the subject neighborhood conform to their respective zoning. Mr. Ciccarone also said that the neighborhood is identical to how it was in 1942.

Mr. Shaffer indicated that he had no objection to the reference to the tax map during the discussion. Mr. Warner noted that personal observations are an important part of the record.

Mr. Brower moved to pass the resolution approving the application, including the movement of the lot line. Mr. Nelson seconded the motion.

**Roll Call:** Mr. Franko, Aye; Mr. Hurring, Aye; Mrs. Swartz, Absent; Mr. Brower, Aye; Mr. Ciccarone, Abstain; Ms. Hagner, Absent; Mr. Ritter, Aye; Mr. Saluzzi, Aye; Mr. Travisano, Absent; Mr. Nelson, Aye; Mr. Murray, Aye.

Plan: 15-142-1&2(April 10, 2015) Normandy Fundsub Management Company , LLC – Treadwell Avenue, Block: 142 Lot: 1&2. Preliminary and Final Major Site Plan approval in connection with construction of a fence. Hearing. Escrow #79627

Tom Malman, an attorney representing the applicant, said that the application is for site plan approval and a height variance for a proposed fence on the Giralda Farms property. The proposed fence will match existing fencing at the site.

Mr. Ruschke and Mr. McGroarty were sworn in to give testimony.

Patricia Ruskan, an engineer representing the applicant, was sworn in to give testimony. She provided her qualifications, and was accepted as an expert witness.

Mrs. Ruskan presented an aerial photo of the site, the original submitted plan for the fence, and a revised proposed fence location. She explained that the fence will be on the corporate campus side of the property line and will separate that property from the open space property. The fence will be eight feet high and will be consistent with existing fencing. The installation of the fence was also requested by the Open Space Management Association.

Mr. Ciccarone explained that the Open Space Management Association members are the representatives from the corporate properties at Giralda Farms and manages the common elements of the corporate campus. The Township-owned open space will be used for park

purposes. The fence will exist to demarcate the Township-owned open space from the corporate campus.

Mr. Brower asked about the gauge and galvanization of the fencing. Mrs. Ruskan said that it would be a 9-gauge vinyl coated fence. Mr. Brower asked Mr. Ruschke what gauge should be specified. Mr. Ruschke said that 9-gauge is common and commented on fence quality and maintenance.

Mr. Ritter asked how aesthetically pleasing the fence would be. Mrs. Ruskan said that the fence will be black to make it less visible. Mr. Ruschke said that the fence would not likely be an eyesore to those in the park and would be more detrimental to those in the corporate facilities.

Mr. Ciccarone shared with the Board a map of the proposed walking trails that Morris County will be developing on the open space property. He also opined that the fence will not be very visible to people on the walking trails. Mr. Ciccarone further noted that the installation of a fence was a condition of the purchase of the property by the Normandy Group.

Mr. Franko opened the floor for questions from the public. Seeing none, Mr. Franko closed the public hearing.

Mr. Warner read into the record the draft resolution for the approval of this application.

Mr. Ciccarone moved to pass the resolution approving the application. Mr. Nelson seconded the motion.

**Roll Call:** Mr. Franko, Aye; Mr. Hurring, Aye; Mrs. Swartz, Absent; Mr. Brower, Nay; Mr. Ciccarone, Aye; Ms. Hagner, Absent; Mr. Ritter, Aye; Mr. Saluzzi, Aye; Mr. Travisano, Absent; Mr. Nelson, Aye; Mr. Murray, Aye.

Mr. Ciccarone moved to adjourn at 8:35 PM. Mr. Ritter seconded the motion and it carried unanimously.

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Gregory J. LaConte  
Planning Board Recording Secretary